

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Initially, Applicants express their appreciation for the courtesy of a personal interview granted to their attorney by Examiner Langel on July 24, 2003, the results of which are summarized in the Interview Summary form.

As indicated in the Interview Summary form, two options for amending the claims were presented to the Examiner during the interview, these amendments being subject to client approval. The claims have now been amended according to the first option in the Interview Summary form. As noted by Applicants' attorney during the interview, amended claim 1 above corresponds to amended claim 1 as allowed by the EPO. A copy of the EPO allowed claims, which was shown to the Examiner during the interview is enclosed.

Thus, claim 1 has been amended to restrict the pressure in the CO₂-rich gas stream after separation to from 5 to 100 bar, as a result of which claim 5 has been cancelled.

Claim 9 has also been cancelled, since it was previously incorporated into claim 1.

As indicated in the Interview Summary form, these amendments should be entered even though they are being submitted after final rejection.

The patentability of the presently claimed invention over the references relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 1 and 4-16 under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) based on Smith et al., as well as the rejection of claims 17-20 under 35 U.S.C. §103(a) as being unpatentable over Smith et al. and the rejection of claims 1 and 4-20 under 35 U.S.C. §103(a) as being unpatentable over Clawson et al. '425 in view of either Krishnamurthy et al. or Smith et al., are respectfully traversed.

As noted during the interview, none of these references discloses or suggests conducting the presently claimed method in a manner where the pressure in the CO₂-gas rich stream after separation is from 5 to 100 bar. Accordingly, the invention is considered to be patentable over the applied references.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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October 1, 2003